

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MARCUS L. HITZ,

Defendant.

**4:98CR3058**

**ORDER**

The defendant was afforded an opportunity for a hearing, but agreed to be detained without a hearing. The defendant has therefore failed to meet the burden of showing, by clear and convincing evidence pursuant to 18 U.S.C. § 3143 (a) and Fed. R. Crim. P. Rule 32.1(a)(6) that defendant will appear at court proceedings and will not pose a danger to the safety of any person or the community if released. The Court's findings are based on the allegations within the Amended Petition.

IT IS ORDERED:

- 1) The above-named defendant shall be detained until further order.
- 2) The defendant is committed to the custody of the Attorney General for confinement in a corrections facility; the defendant shall be afforded reasonable opportunity for private consultation with counsel; and on order of a court of the United States, or on request of an attorney for the government, the person in charge of the facility shall deliver the defendant to a United States Marshal for appearance in connection with a court proceeding.
- 3) The defendant shall appear at his revocation hearing scheduled for August 16, 2019 at 11:30 a.m. before the Honorable John M. Gerrard, in Courtroom 1, United States Courthouse and Federal Building, 100 Centennial Mall North, Lincoln, Nebraska.

- 4) The Amended Petition (Filing No. [102]), supersedes the Initial Petition (Filing No. [94]). The Initial Petition (Filing No. [94]), is therefore terminated.

July 1, 2019.

BY THE COURT:

s/ Cheryl R. Zwart  
United States Magistrate Judge